

PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)

The following application has been submitted to appropriate water in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

**OBJECTION DEADLINE: NOVEMBER 5, 2022.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 655 TIMBERWOLF PARKWAY, SUITE 4, KALISPELL, MT 59901-2387, PHONE: 406-752-2288, FAX: 406-752-2843.

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

Application Number:	76D 30151686						
Owners:	MARINERS HAVEN HOMEOWNERS ASSN PO BOX 1975 EUREKA, MT 59917 1975						
Priority Date:	JUNE 9, 2021 at 02:21 P.M.						
Purpose (Use):	COMMERCIAL MULTIPLE DOMESTIC						
Maximum Flow Rate:	225.00 GPM						
Maximum Volume:	5.48 AC-FT						
Source Name:	GROUNDWATER						
Source Type:	GROUNDWATER						
Point of Diversion and Means of Diversion:							
<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		NWSWSE	11	36N	28W	LINCOLN	
Period of Diversion:	JANUARY 1 TO DECEMBER 31						
Diversion Means:	WELL						
Subdivision:	MARINERS HAVEN PHASE 2						
Well Depth:	280.00 FEET						
Static Water Level:	182.00 FEET						
Casing Diameter:	8.00 INCHES						
2		SWNESE	11	36N	28W	LINCOLN	
Period of Diversion:	JANUARY 1 TO DECEMBER 31						
Diversion Means:	WELL						
Subdivision:	MARINERS HAVEN PHASE 2						
Well Depth:	222.00 FEET						
Static Water Level:	96.00 FEET						
Casing Diameter:	8.00 INCHES						
3		SWNESE	11	36N	28W	LINCOLN	
Period of Diversion:	JANUARY 1 TO DECEMBER 31						
Diversion Means:	WELL						
Subdivision:	MARINERS HAVEN PHASE 2						
Well Depth:	320.00 FEET						
Static Water Level:	135.00 FEET						
Casing Diameter:	8.00 INCHES						
Purpose (Use):	COMMERCIAL		Purpose Clarification: MARINA FACILITIES				
Volume:	1.99 AC-FT						
Period of Use:	JANUARY 1 to DECEMBER 31						

Place of Use:							
<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESW	11	36N	28W	LINCOLN
Purpose (Use):		MULTIPLE DOMESTIC					
Household:		13					
Volume:		3.49 AC-FT					
Period of Use:		JANUARY 1 to DECEMBER 31					
Place of Use:							
<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	11	36N	28W	LINCOLN
2			NWNENW	14	36N	28W	LINCOLN

Remarks:

ASSOCIATED RIGHT

PROVISIONAL PERMITS 76D 72070-00 AND 76D 30151686 ARE ASSOCIATED BECAUSE THEY SHARE POINTS OF DIVERSION AND PLACES OF USE.

CONFEDERATED SALISH AND KOOTENAI TRIBES - RESERVED WATER RIGHTS

THIS RIGHT IS SUBJECT TO ALL PRIOR INDIAN RESERVED WATER RIGHTS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES IN THE SOURCE OF SUPPLY. IT IS THE TRIBE'S POSITION THAT THE EXERCISE OF JUNIOR WATER RIGHTS EITHER WITHIN OR OUTSIDE OF THE EXTERIOR BOUNDARIES OF THE FLATHEAD INDIAN RESERVATION MAY AFFECT THE RESERVED WATER RIGHTS OF THE TRIBE WITHIN THE EXTERIOR BOUNDARIES OF THE RESERVATION. IT IS THE TRIBE'S POSITION THAT ECONOMIC INVESTMENTS MADE IN RELIANCE UPON THIS RIGHT DO NOT CREATE IN THE APPROPRIATOR ANY EQUITY OR VESTED RIGHT AGAINST THE TRIBES. THE APPROPRIATOR IS HEREBY NOTIFIED THAT ANY FINANCIAL OUTLAY OR WORK INVESTED IN A PROJECT PURSUANT TO THIS RIGHT IS AT APPROPRIATOR'S RISK. THE ISSUANCE OF THIS RIGHT DOES NOT REDUCE THE APPROPRIATOR'S LIABILITY FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. IT DOES NOT MAKE THE DEPARTMENT LIABLE FOR DAMAGE CAUSED BY THE EXERCISE OF THE RIGHT. NOR IS THE DEPARTMENT LIABLE FOR ANY LOSS TO THE APPROPRIATOR CAUSED BY THE EXERCISE OF SENIOR RESERVED WATER RIGHTS.

IMPORTANT INFORMATION

PROVISIONAL PERMIT 76D 72070-00 ALLOWS FOR DIVERSION OF UP TO 243.30 AF/YEAR, WHILE PROVISIONAL PERMIT 76D 30151686 ALLOWS FOR DIVERSION OF UP TO 5.48 AF/YEAR. IN COMBINATION, PROVISIONAL PERMITS 76D 72070-00 AND 76D 30151686 SHALL NOT DIVERT MORE THAN 248.78 AF/YEAR AT A MAXIMUM RATE OF DIVERSION NOT TO EXCEED 225.0 GPM.

WATER MEASUREMENT INFORMATION

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY JANUARY 31 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR UNTIL A FORM 617 PROJECT COMPLETION NOTICE IS SUBMITTED. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF THE PERMIT. THE RECORDS MUST BE SENT TO THE WATER RESOURCES KALISPELL REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

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